



W.P(MD)No.13452 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13452 of 2023

Vignesh

... Petitioner

Vs.

1.The Regional Passport Officer
Regional Passport Office,
New Municipal Complex,
Thillai Nagar, 7th Cross,
Tiruchirappalli.

2.The Inspector of Police
Illuppur Police Station,
Pudukottai District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the petitioners representation dated 17.05.2023 to issue fresh passport in file No.TR2065192774123 dated 21.01.2023 pending before the 1st respondent.



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W.P(MD)No.13452 of 2023

For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mrs.D.Farjana Ghoushia - for R2

Special Government Pleader

M/s.R.Arjunarajan - for R1

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the first respondent to consider the application in file No.TR2065192774123 dated 21.01.2023 and grant passport to the petitioner herein.

2. It is informed that the second respondent had registered FIR in Crime No.185 of 2022 under Section 147, 294(b), 323, 324 and 506(ii) IPC and under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3. A status report had been filed by the second respondent that the investigation is still pending.



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W.P(MD)No.13452 of 2023

4. It is trite in law to point out that mere mentioning of the name of a person in the First Information Report cannot categorise that the said person has committed the offence. Till such time, the presumption of innocence runs through criminal jurisprudence.

5. A direction is issued to the first respondent to issue notice to the petitioner and get an undertaking that he would inform the first respondent about the further progress of the aforementioned crime number and if charge sheet had been filed about the further progress, about the criminal case. If the petitioner is otherwise eligible, a further direction is issued to grant passport within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ petition stands disposed of. No costs.

16.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
RM



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To

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Tiruchirappalli.
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C.V.KARTHIKEYAN, J.

RM

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